

**REMARKS**

The applicants acknowledge and appreciate receiving an initialed copy of the form PTO-1449 that was filed on July 24, 2003.

The applicants appreciate that the office action contains an acknowledgement of the receipt of the priority papers. However, the office action summary neither acknowledges the claim for foreign priority nor indicates that the certified copy of the priority document has been received. Accordingly, attached hereto is a copy of:

- OIPE hand delivery filing receipt, stamped by OIPE on July 24, 2003, acknowledging receipt of items including the Japanese priority document JP2002-216648; and
- Stamped postcard receipt of July 24, 2003 acknowledging receipt of items including the Japanese priority document JP2002-216648.

A postcard receipt which itemizes and properly identifies the items which are being filed serves as *prima facie* evidence of receipt in the USPTO of all the items listed thereon on the date stamped thereon by the USPTO. Inasmuch as the above items are properly itemized on the postcard receipt and the filing receipt, it is respectfully submitted that the priority document was submitted. Acknowledgment of the claim for priority is respectfully requested.

Claims 1 – 10 are pending. New claims 5 – 10 have been added. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

Claims 1 – 4 were rejected under 35 USC 112, second paragraph, as being indefinite. The specific instances of indefiniteness identified in the office action in claims 1 and 4 have been remedied by way of the above amendment. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 1 – 4 were rejected under 35 USC 102(b) as being anticipated by US Patent 6,422,088, Oba et al. (“Oba”). The rejection is respectfully traversed for reasons including the following, which are provided by way of example.

As described in the application, the invention recognizes the problem of appropriately adjusting offset voltages of the sensor output and fault diagnostic output (Specification page 6, lines 23 – 25; page 7, lines 13 - 16.) Independent claim 1 recites in combination, for example, “a bridge circuit that has four gauge resistors formed on the semiconductor substrate, ... each of the four gauge resistors having a plurality of divisional gauge resistors;” “a pair of first output terminals connected to a pair of respective first midpoints between the four gauge resistors...;” a pair of second output terminals connected to a pair of respective second midpoints between the divisional gauge resistors ...;” “wherein at least one of the first output terminals has a plurality of terminals connected to different positions of the respective first midpoints, and at least one of the second output terminals has a plurality of terminals connected to different positions of respective wiring patterns formed between the divisional gauge resistors.” (See also independent claim 4.)

In operation, an inspection of the bridge circuit can be performed before connecting the output terminals and the external circuit, to select the output terminal (of the plurality of terminals) appropriate for adjusting the offset voltage. Thereafter, the appropriate output terminals can be connected , e.g., by wire bonding, to the external circuit. (E.g., specification page 24, lines 5 – 10.) Fig. 8 provides an exemplary illustration of, e.g., a terminal (e.g., B, B1)

having a plurality of terminals connected to different positions of respective midpoints (Ba, Bb, Bc) and respective wiring patterns (B1a, B1b, B1c). (See also Figs. 5 – 7 illustrating the plurality of terminals.)

On the other hand, without conceding that Oba discloses any feature of the present invention, Oba is directed to a sensor failure or abnormality detecting system.

The office action asserts that Oba anticipates the invention as claimed. To the contrary, Oba fails to set forth each and every element found in the claims. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Oba fails to teach or suggest, for example, that "at least one of the first output terminals has a plurality of terminals connected to different positions of the respective first midpoints." Further, Oba fails to teach or suggest that "at least one of the second output terminals has a plurality of terminals connected to different positions of the respective wiring patterns." (See, e.g., claim 1, 4.) To the contrary, Oba does not provide that any of the output terminals has a plurality of terminals.

The office action equates terminals B, B2 and B3 to the first output terminals having a plurality of terminals; and A, B1 and C1 to the second output terminals having a plurality of terminals. However, B1-B3 and C1 are merely intermediate terminals with no particular relation

to output terminals A, B. Oba completely fails to teach or suggest that the output terminals themselves have a plurality of terminals.

Consequently, Oba fails to teach or suggest how the plurality of terminals of the first or second output terminals are connected.

Moreover, Oba completely fails to teach or suggest that the plurality of terminals are connected to a midpoint between the gauges forming the bridge circuit.

Oba fails to teach or suggest, for example, these elements recited in independent claims 1 and 4. It is respectfully submitted therefore that claims 1 and 4 are patentable over Oba.

For at least these reasons, the combination of features recited in independent claims 1 and 4, when interpreted as a whole, is submitted to patentably distinguish over the prior art. In addition, Oba clearly fails to show other claimed features as well.

With respect to the rejected dependent claims, the applicants respectfully submit that these claims are allowable not only by virtue of their dependency from independent claims 1 and 4, but also because of additional features they recite in combination.

New claims 5 – 10 have been added to further define the invention, and are believed to be patentable for reasons including these set out above. Support for claims 5 and 9 is located, for example, on pages 9 – 10 of the specification; and support for claims 6 and 10 is located, for example, on page 10, line 13 – 14 of the specification. Claims 7 and 8 have language from claims 2 and 3, respectively.

The applicants respectfully submit that, as described above, the cited prior art does not show or suggest the combination of features recited in the claims. The applicants do not concede that the cited prior art shows any element recited in the claims. However, the applicants have

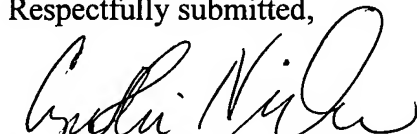
provided specific examples of elements in the claims that are clearly not present in the cited prior art.

The applicants strongly emphasize that one reviewing the prosecution history should not interpret any of the examples applicant has described herein in connection with distinguishing over the prior art as limiting to those specific features in isolation. Rather, for the sake of simplicity, the applicants have provided examples of why the claims described above are distinguishable over the cited prior art.

In view of the foregoing, the applicants respectfully submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,



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• OF COUNSEL

July 24, 2003

## OIPE HAND DELIVERY FILING RECEIPT

**Applicant:** YOSHIHARA et al.

**For:** SEMICONDUCTOR DYNAMIC QUANTITY SENSOR

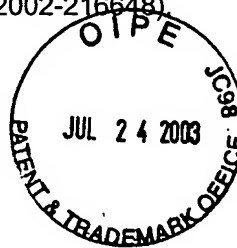
**Docket:** 01-447

**Attorney:** David G. Posz

**Date of Deposit:** July 24, 2003

The following documents are being hand delivered to, and deposited with, the USPTO at the Customer Service Window, Office of Initial Patent Examination, Crystal Plaza Building 2, Room 1B03, 2011 South Clark Place, Arlington, VA 22202 on the above-indicated date:

- return receipt postcard;
- transmittal form (2 copies);
- 30 page specification including 4 numbered claims;
- 8 sheets (Figs 1-10) of formal drawings; and
- IDS with PTO-1449 form and 2 cited references;
- 1 certified copy of the JP Priority Document (JP2002-216648).



*dkf.*

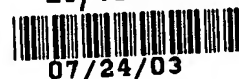
Receipt is hereby acknowledged for a patent application in the name of **YOSHIHARA et al.** and entitled **SEMICONDUCTOR DYNAMIC QUANTITY SENSOR** (Attorney docket no. **01-447**), including the following:

- return receipt postcard;
- transmittal form (2 copies);
- 30 page specification including 4 numbered claims;
- 8 sheets (Figs 1-10) of formal drawings; and
- IDS with PTO-1449 form and 2 cited references;
- 1 certified copy of the JP Priority Document (JP2002-216648).

**SUBMISSION DATE: 07/24/2003**

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